

**CLARK COUNTY COUNCIL**  
**CLARK COUNTY, INDIANA**  
Regular Meeting of May 9, 2011

The regular scheduled meeting of the Clark County Council was called to order at 6:00 p.m. by Council President Kevin Vissing.

Those in attendance stood for the pledge of allegiance to the American Flag.

Roll call showed members present and absent as follows:

Present	Absent
Barbara Hollis (1 <sup>st</sup> District)	
Brian Lenfert (2 <sup>nd</sup> District)	
Danny Yost (3 <sup>rd</sup> District)	
Steve Doherty (4 <sup>th</sup> District)	
Chuck Moore (At Large)	
Kevin Vissing (At Large)	
Perry Smith (At Large)	

Also present were Council Attorney Scott Lewis, County Auditor Monty Snelling, Chief Deputy Auditor Alana Sparkman, and Benefits Coordinator Mischell Settles.

President Vissing requested proof of Notice of Taxpayers of the additional appropriations listed on the agenda. Scott Lewis, Attorney for the Council, stated for the record that publication of Notice of Taxpayers ran in the Evening News ten (10) days prior to this meeting as required by I.C.6-1.11-18-5 and advised the council to proceed.

Councilman Yost made a motion to approve the minutes as presented with a second from Councilman Smith. Carried 7-0.

Amendments to the Agenda were as follows: Judge Dan Moore with an appeal bill for transcript of evidence and a court case. Clerk Barbara Hollis with a change of salary ordinance. Councilman Lenfert to address the property tax cap and 1782 notice difference.

Councilman Moore made a motion to approve the amendments to the agenda with a second from Councilperson Hollis. Carried 7-0.

Councilperson Hollis made a motion to acknowledge the receipt of the funds report provided by the Auditor's office. Councilman Moore seconded the motion. Carried 7-0.

Committee reports: There were no committee reports.

Public comments: There were no public comments.

First on the agenda was President of Commissioners, Ed Meyer, requesting an additional appropriation out of County General, Riverboat, or Rainy Day for Contract Services, Contract Services for CASA, and Transcripts. Councilperson Hollis made a motion to approve the request from County General and deny from the other funds requested. Councilman Moore seconded the motion. Carried 7-0.

Ed Meyer also had requested transfer of funds within the same funds of \$1622.50 from Contract Services to Transcripts and \$64.75 from Services and Charges to Medical Supplies. Councilperson Hollis made a motion to approve the transfer with a second from Councilman Smith. Carried 7-0.

Next on the agenda was Administrator of Clark County Health Department, Mike Meyer requesting to appropriate cash in the PHER-H1N1 Grant for equipment, Services and Charges, telephone and supplies. Councilman Smith made a motion to approve to appropriate cash with a second from Councilman Moore. Carried 7-0.

Next, Sheriff Daniel Rodden requested additional appropriation from LOIT-County General for April, 2011. The appropriation was for utilities, gas & oil, vehicle maintenance, supplies, printing, utilities, contracts, food supplies, and medical. Councilman Moore made a motion to approve the request with a second from Councilman Smith. Carried 6-1. Councilperson Hollis was opposed.

Also, Sheriff Daniel Rodden requested additional appropriation for the remainder of 2011 not to exceed \$108,000 per month for 8 months from LOIT-County General. The appropriation was for utilities, gas & oil, vehicle maintenance, supplies, contract, food supplies, and medical. Councilman Moore made a motion to approve the request with a second from Councilman Smith. Carried 6-1. Councilperson Hollis was opposed.

Next, Assessor Vicki Haire with a request to appropriate cash in the County Sales Disclosure Fund for Computer Software. Councilman Smith made a motion to approve the request to appropriate cash with a second from Councilperson Hollis. Carried 7-0.

Also, Assessor Vicki Haire had requested an additional appropriation from Clark County Cum Capital for Personal Services. The request had been declared an emergency and approved by the Commissioners on 04/14/11. Councilman Smith made a motion to approve the request with a second from Councilperson Hollis. Carried 7-0.

Also, Assessor Vicki Haire had a request for an additional appropriation from Riverboat, Rainy Day, and County General for Personal Services and Contract Services. Councilman Moore made a motion to approve \$140,000 for Contract Services out of

County General and deny from other funds and to table the request for Personal Services from all funds requested with a second from Councilman Smith. Carried 7-0.

Next, System Administrator Matt Dyer requested an additional appropriation out of Riverboat and Rainy Day for Service Contracts for LOW hours. Councilman Lenfert made a motion to deny the request with a second from Councilman Moore. Carried 7-0.

Next were the Tabled items from April, 2011 meeting, Clerk Barbara Haas presented a request of additional appropriations for personal services from Riverboat and Rainy Day with 3 salary ordinances. Councilman Moore made a motion to table the request from requested funds with a second from Councilman Smith. Carried 7-0.

Next, no one was present for Superior Ct#1 requesting an additional appropriation from Riverboat for other services. Councilman Lenfert made a motion to table the request with a second from Councilman Smith. Carried 7-0.

Next was Auditor Monty Snelling requesting an additional appropriation from Riverboat and Rainy Day for Contract Services. Councilman Lenfert made a motion to table the request from funds requested with a second from Councilman Moore. Carried 7-0.

Next was Treasurer David Reinhardt with a request for an additional appropriation out of County General, Riverboat or Rainy Day for printing of tax bills. Councilman Lenfert made a motion to table the request with a second from Councilman Moore. Carried 7-0.

Next was an amendment to the agenda: Judge Dan Moore of Clark Circuit Court with two court orders. One court order was Phase Two-Order for Deposition expenses for travel from in-state deposition of DNA expert. The anticipated expense for travel and professional witness fee would be in the range of two thousand and three thousand dollars. A motion was made by Councilman Moore to approve the request paying out of the Council's budget with a second from Councilman Smith. Carried 7-0. The second order was to pay a Court Reporter for a Transcript of Evidence from an invoice dated April 3, 2011 for \$5,080. Auditor Snelling would take care of the court order to pay the Court Reporter out of the appropriation that was approved for the Commissioners when the claim is received.

Next, was Clark County Attorney Greg Fifer representing the Board of Commissioners for County Extension, Planning & Zoning, Drainage, Weights & Measures, Cemetery, Commissioners, Emergency Management, Juvenile Detention, System Administration, Aviation, and Soil & Water with an additional appropriation request out of County General, Riverboat, or Rainy Day to reinstate all of the Commissioners approved budget and approved budgets of each fund that is not headed by

an elected official. Councilman Lenfert made a motion to approve \$327,000 for the Commissioners out of County General and table the balance of \$3,505,985 and table the other requests from all funds with a second from Councilman Moore. Carried 7-0.

Attorney Greg Fifer made a suggestion that there should be some type of mechanism between the Commissioners and County Council or some kind of committee to start a discussion about the extent to which how far they are comfortable to expend the Cum-Cap fund. Also, Attorney Greg Fifer mentioned that a letter would be going out from the Commissioners regarding health insurance on paychecks to notify employees regarding Joe Olsen looking at health insurance costs and other options. Attorney Greg Fifer mentioned Joe Olsen said there is enough money in the Insurance Fund to cover as of now for the remainder of the year. But it would fully exhaust that insurance fund and the County would not have enough money in the absence of a sufficient approved budget in October to be in a position to buy health insurance coverage for next year. Lastly, Attorney Greg Fifer made mention regarding the Levy Appeal. Attorney Greg Fifer and Attorney Scott Lewis are on an August 1<sup>st</sup> deadline to turn in all of their documents. They will be getting together with Dan Eggerman as well as various office holders.

Councilperson Hollis asked Attorney Greg Fifer where the County was with the Interlocal Agreement with municipalities regarding the LOIT-Public Safety. He would try to get that completed by the end of the week and get a copy to the County Council.

Next, David Trotter, County Extension Educator and C.E.D. for Purdue University of Clark County Extension requested additional appropriations for travel, telephone, utilities, and equipment repair out of County General, Rainy Day, Riverboat and Cedit. Councilman Lenfert made a motion to table the request and Councilman Moore seconded the motion. Carried 7-0.

Next, Judge Dan Moore of Clark Circuit Court requested additional appropriations from County General, Rainy Day, and Riverboat for equipment (chairs and two council tables.) Councilperson Hollis made a motion to deny the request with a second from Councilman Moore. Carried 5-2. Councilman Vissing and Councilman Smith were opposed.

Next, Lyda Abell, Director of Juvenile Detention was not present but was requesting additional appropriations from Riverboat and LOIT-County General for personal services. Councilman Moore made a motion to table the request with a second from Councilman Smith. Carried 7-0.

No old business discussed.

No new business discussed.

Amendments to the Agenda: Councilperson Hollis requested a Salary Ordinance change from Prosecutor's Incentive Fund to the Prosecutor's Infraction Fee Fund. Councilman Moore made a motion to approve the salary ordinance with a second from Councilman Smith. Carried 7-0.

Councilman Lenfert wanted to make a formal action regarding the Property Tax Circuit Breaker Cap Allocation that totaled \$502,246. He wanted to make sure that the Auditor's office makes office holders aware of this notice and that it has been adjusted according to the tax levy.

Attorney Comments: County Council Attorney, Scott Lewis, received a mandate from all 4 courts which was expected with the budget cuts regarding the 1782 notice. Technically the Judges have recorded it as 2 separate mandates. One mandate for Judge Moore and the other mandate is with Judge Carmichael, Judge Weber, and Judge Jacobi. They do not specify specific dollar amounts. They are requesting what is necessary for operations. The judges are requesting fast track mediation which is normal. The procedure is to mandate orders are sent to the Indiana Supreme Court and the Indiana Supreme Court will appoint a special Judge and also appoint a special mediator. When he receives more details and dates, he will ask the Council to schedule an executive session and go over the details and appropriately advertise.

Auditor comments: Auditor Monty Snelling discussed that there was a payroll in January, 2011 paying salaries for 2010 which needs additional appropriations out of Rainy Day. Auditor Snelling advised the Council that the additional appropriations will be on the next County Council agenda.

Secondly, Auditor Snelling advised that the Council needs to set up dates for when budgets should be turned in from departments and need to set up budget times.

Lastly, Auditor Snelling advised to form a committee to meet with one or two Commissioners regarding the cuts and to give direction on how to handle.

Council comments: Council President mentioned that the County lost the lawsuit regarding landing fees and fuel flow fees at the Clark County airport. That money needs to be paid back from his understanding. Also, Council President mentioned there is a \$800,000 lawsuit that was won with the sale of a farm. That money needs to be paid back, as well.

Councilman Moore made a motion to adjourn the meeting with a second from Councilman Smith. Carried 7-0.

AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING  
 ADDITIONAL APPROPRIATIONS  
 FOR THOSE FUNDS REQUIRING APPROVAL OF THE  
 DEPARTMENT OF LOCAL GOVERNMENT FINANCE  
 ORDINANCE NO. 15-2011

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana for expenses of Clark County government and it's institutions for the year ending December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exits.

	Requested	Allowed	Vote
<b><u>County General</u></b>			
<b>Commissioners</b>			
100-30051-030 Contract Services	20,000.00	20,000.00	7-0
100-30051-030 Contract Services/CASA	32,933.73	32,933.73	7-0
100-30175-030 Transcripts	20,000.00	20,000.00	7-0
<b>Assessor</b>			
100-11107-076 Personal Services	65,000.00	Tabled	7-0
100-30051-076 Contract Services	140,000.00	140,000.00	7-0
<b>Treasurer</b>			
100-30041-003 Printing	9,500.00	Tabled	7-0
<b>County Extension</b>	34,734.00	Tabled	7-0
<b>Planning &amp; Zoning</b>	12,636.00	Tabled	7-0
<b>Drainage</b>	19,999.00	Tabled	7-0
<b>Weights &amp; Measures</b>	7,500.00	Tabled	7-0
<b>Cemetery</b>	436.00	Tabled	7-0
<b>Commissioners</b>	3,832,985.00	327,000.00/	
		Table 3,505,985	7-0
<b>Emergency Management</b>	8,614.00	Tabled	7-0

Juvenile Detention	134,446.00	Tabled	7-0
System Administration	13,661.00	Tabled	7-0
Aviation	59,500.00	Tabled	7-0
Soil & Water	42,078.00	Tabled	7-0
Clark Circuit Court			
100-40014-036	16,500.00	Denied	5-2
<b><u>Cum-Cap</u></b>			
<b>Assessor</b>			
427-111107-076 Personal Services	15,000.00	15,000.00	7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING  
 ADDITIONAL APPROPRIATIONS  
 FOR THOSE FUNDS WHICH DO NOT REQUIRE APPROVAL OF THE  
 DEPARTMENT OF LOCAL GOVERNMENT FINANCE  
 ORDINANCE NO. 16-2011**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana that for expenses of Clark County government and it's institutions for the year ending December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exist.

	Requested	Allowed	Vote
<b><u>Riverboat</u></b>			
<b>Commissioners</b>			
321-30051-030 Contract Services	20,000.00	Denied	7-0
321-30051-030 Contract Services/CASA	32,933.73	Denied	7-0
321-30175-030 Transcripts	20,000.00	Denied	7-0
<b>Assessor</b>			

321-11107-076 Personal Services	65,000.00	Tabled	7-0
321-30051-076 Contract Services	140,000.00	Denied	7-0
<b>System Administrator</b>			
321-30052-042 Service Contracts	24,480.00	Denied	7-0
<b>Clerk</b>			
321-11107-001 Personal Services	84,000.00	Tabled	7-0
<b>Superior Ct#1</b>			
321-30098-037 Other Services	10,500.00	Tabled	7-0
<b>Auditor</b>			
321-30051-0025 Contract Services	4,341.00	Tabled	7-0
<b>Treasurer</b>			
321-30041-003 Printing	9,500.00	Tabled	7-0
<b>County Extension</b>	34,734.00	Tabled	7-0
<b>Planning &amp; Zoning</b>	12,636.00	Tabled	7-0
<b>Drainage</b>	19,999.00	Tabled	7-0
<b>Weights &amp; Measures</b>	7,500.00	Tabled	7-0
<b>Cemetery</b>	436.00	Tabled	7-0
<b>Commissioners</b>	3,832,985.00	Tabled	7-0
<b>Emergency Management</b>	8,614.00	Tabled	7-0
<b>Juvenile Detention</b>	134,446.00	Tabled	7-0
<b>System Administration</b>	13,661.00	Tabled	7-0
<b>Aviation</b>	59,500.00	Tabled	7-0
<b>Soil &amp; Water</b>	42,078.00	Tabled	7-0
<b>Clark Circuit Court</b>			
321-40014-036 Equipment	16,500.00	Denied	5-2
<b>Juvenile Detention</b>			
321-11107-041 Personal Services	90,000.00	Tabled	7-0
 <b><u>Rainy Day</u></b>			
<b>Commissioners</b>			
269-30051-030 Contract Services	20,000.00	Denied	7-0
269-30051-030 Contract Services	32,933.73	Denied	7-0
269-30175-030 Transcripts	20,000.00	Denied	7-0
<b>Assessor</b>			
269-11107-076 Personal Services	65,000.00	Tabled	7-0
269-30051-076 Contract Services	140,000.00	Denied	7-0
<b>System Administrator</b>			
269-30052-042 Service Contracts	24,480.00	Denied	7-0
<b>Clerk</b>			
269-11107-001 Personal Services	84,000.00	Tabled	7-0

<b>Auditor</b>			
269-30051-002 Contract Services	4,341.00	Tabled	7-0
<b>Treasurer</b>			
269-30041-003 Printing	9,500.00	Tabled	7-0
County Extension	34,734.00	Tabled	7-0
Planning & Zoning	12,636.00	Tabled	7-0
Drainage	19,999.00	Tabled	7-0
Weights & Measures	7,500.00	Tabled	7-0
Cemetery	436.00	Tabled	7-0
Commissioners	3,832,985.00	Tabled	7-0
Emergency Management	8,614.00	Tabled	7-0
Juvenile Detention	134,446.00	Tabled	7-0
System Administration	13,661.00	Tabled	7-0
Aviation	59,500.00	Tabled	7-0
Soil & Water	42,078.00	Tabled	7-0
<b>Clark Circuit Court</b>			
269-40014-036 Equipment	16,500.00	Denied	7-0

**Cedit**

**Cooperative Extension Service**

412-30013-023 Travel	3,585.00	Tabled	7-0
412-30014-023 Telephone	6,000.00	Tabled	7-0
412-30046-023 Utilities	5,637.00	Tabled	7-0
412-30054-023 Equipment Repair	3,033.00	Tabled	7-0

**LOIT-County General**

**Sheriff**

418-30046-032 Utilities	1,305.28	1,305.28	6-1
418-20021-032 Gas & Oil	4,113.65	4,113.65	6-1
418-30024-032 Vehicle Maintenance	4,326.26	4,326.26	6-1
418-20060-032 Supplies	14,529.37	14,529.37	6-1
418-30041-032 Printing	773.00	773.00	6-1
418-30046-032 Utilities	23,253.18	23,253.18	6-1
418-30051-032 Contracts	16,725.83	16,725.83	6-1
418-30094-032 Food Supplies	42,300.57	42,300.57	6-1
418-32235-032 Medical	1,802.61	1,802.61	6-1
418-30046-032 Utilities	232,000.00	232,000.00	6-1
418-20021-032 Gas & Oil	120,000.00	120,000.00	6-1
418-30024-032 Vehicle Maintenance	28,000.00	28,000.00	6-1
418-20060-032 Supplies	28,000.00	28,000.00	6-1

418-30051-032 Contracts	136,000.00	136,000.00	6-1
418-30094-032 Food Supplies	232,000.00	232,000.00	6-1
418-32235-032 Medical	88,000.00	88,000.00	6-1
<b>Juvenile Detention</b>			
418-11107-041 Personal Services	90,000.00	Tabled	7-0
<b><u>PHER-H1N1 Grant</u></b>			
214-40014-071 Equipment	43,900.00	43,900.00	7-0
214-30098-071 Services & Charges	1,200.00	1,200.00	7-0
214-30014-071 Telephone	4,500.00	4,500.00	7-0
214-20060-071 Supplies	2,300.00	2,300.00	7-0
<b><u>County Sales Disclosure</u></b>			
<b>Assessor</b>			
150-30051-009 Computer Software	41,300.00	41,300.00	7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING  
TRANSFER OF APPROPRIATIONS  
ORDINANCE NO. 17 -2011**

	Requested	Allowed	Vote
<b>Commissioners</b>			
From: 100-30051-030 Contract Services			
To: 100-30175-030.Transcripts	1,622.50	1,622.50	7-0
<b>County Highway</b>			
From: 201-30098-061 Services & Charges			
To: 201-20035-061 Medical Supplies	64.75	64.75	7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING  
SALARY AND WAGES TO BE PAID TO OFFICERS AND EMPLOYEES  
FOR CALENDER YEAR 2011  
AMENDMENT NO. 5**

	Requested	Allowed	Vote
<b>Clerk</b>			
Category II (New)	28,000.00	Tabled	7-0
Category II (New)	28,000.00	Tabled	7-0
Category II (New)	28,000.00	Tabled	7-0

**Prosecutor**

**Prosecutor's Infraction Fee Fund**

Lauren Logsdon 28,000.00 28,000.00 7-0  
Effective 05/09/11

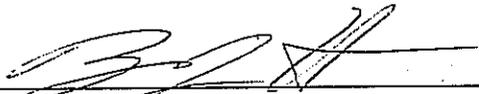
**Clark County Sheriff Office**

Sarah Collett to replace Sally Hughes 29,806.00 29,806.00 N/A  
Effective 04/25/11

**Members of the Clark County Council**

**AYES**

**NAYS**



Barbara Hollis

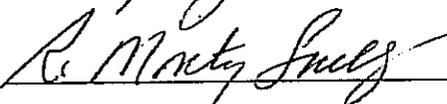
Kevin Visoing

Dery L. Smith

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Steve W. ...

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Attest: 

R. Monty Snelling - Clark County Auditor

Approved this 13 day of June, 2011